



ARIZONA DEPARTMENT OF ECONOMIC SECURITY

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July 2, 2002

WIA GUIDANCE LETTER #10-02

**SUBJECT: Clarification of Definitions and Documentation Related to WIA
Title IB Eligibility and Participation: Family, Citizenship/Right to
Work, Self-Certification, Self-Sufficiency, and Pell Grants**

REFERENCE: P.L. 105-220, §101(15)(A)(B)(C), §188(a)(5), §134(d)(4)(B), and §188(a)(5) of the Workforce Investment Act (WIA) of 1998; 20 CFR Part 652 et al., §663.220, 663.230, and 663.320 of WIA Final Rules dated August 11, 2000; WIA Participant Tracking Guide (PTG), Section 1 - "WIA Eligibility/Documentation Matrix," dated April 2002; U.S. Department of Justice Form I-9, revision dated November 21, 1991; State of Arizona Motor Vehicle Division Form No. 96-0155 R12/01

BACKGROUND: A number of recent inquiries from local area staff prompted the need for clarification of the following:

DEFINITIONS/DOCUMENTATION RELATED TO WIA ELIGIBILITY

FAMILY

Under WIA, the term "family" relates to two or more persons living in the same household who are related through blood, marriage, or court decree and are included in at least one of groups A through C below. The **state** further defines family as delineated in group D below. Family, as defined in groups A through D, must be used in determining financial eligibility *where appropriate* for the three WIA funding streams (Adults, Youth, and Dislocated Workers).

- A. Husband, wife, and their dependent children
- B. A parent or guardian and his/her dependent children
- C. Husband and wife
- D. An economic unit of one or more persons who receive at least 50% of their financial support from the economic unit

CITIZENSHIP/RIGHT TO WORK

Participation in WIA Title IB programs or activities must be available to United States citizens, lawfully admitted permanent resident aliens, refugees, asylees, parolees, and other immigrants *authorized to work in the U.S.* There are numerous discrete documents which LWIAs can accept as verification of citizenship and right to work in the U.S. These documents are listed in Attachment A of this memo, which represents a revision to Page 1 of the WIA Eligibility/Documentation Matrix found in Section 1 of the WIA Participant Tracking Guide. Attachment B of this memo is the **Arizona Motor Vehicle Division's (MVD) Identification Requirements** form No. 96-0155 R12/01. This form, which lists the documents that must be provided to the MVD before an Arizona driver's license is issued, provides justification for accepting a valid Arizona Driver's License as one source of proof of U.S. citizenship/right to work in the U.S.

SELF-CERTIFICATION

At times and for a variety of reasons, some WIA applicants are unable to provide all of the necessary documents requested of them to complete the process for program eligibility. In these instances, the state does permit Self-Certification or self-attestation as an alternative means of verifying a *limited number* of factors related to applicant status. Attachment C of this memo is an instruction sheet that delineates those factors for which Self-Certification is permitted. Section 1 of the Participant Tracking Guide dated April 2002 contains a Self-Certification form that LWIAs may use in conjunction with Attachment C.

SELF-SUFFICIENCY

The use of the term “self-sufficiency” **only applies in the context of establishing eligibility for employed adults and employed dislocated workers to receive intensive services under WIA, when local area funds are limited.** Self-sufficiency is **not** to be viewed as an outcome measure associated with successful program performance.

The provision of intensive services to employed adults and employed dislocated workers is designed to help ensure that intensive services are provided to workers most in need of such services. Under WIA, 100% of the Lower Living Standard Income Level (LLSIL) represents a minimum measure of self-sufficiency that each LWIA must use to determine intensive service eligibility for employed adults and employed dislocated workers. Local boards may adjust the self-sufficiency level upward from 100% of the LLSIL based on local conditions. Local boards may also opt to define self-sufficiency for employed dislocated workers in relation to a percentage of the lay-off wage.

COORDINATION OF PELL GRANTS WITH OTHER EDUCATION-RELATED ASSISTANCE

It is important that Local Workforce Investment Areas (LWIA) leverage available funds for training, including Pell Grants and WIA Individual Training Accounts (ITAs), to ensure that the costs of training and support services are fully paid for WIA participants,

and to reduce the likelihood of duplicate payments for such services. To date, the U.S. Department of Labor has not issued additional guidance regarding the *order of payments* for training costs for individuals eligible for both WIA and other educational assistance. However, the WIA Final Rule does emphasize that local area programs should assist each participant in establishing Pell Grant eligibility before a participant enrolls in a particular school or training program. A WIA participant may be enrolled into training with WIA funds while a Pell Grant application is pending. However, the LWIA must put a process in place so that the LWIA can be reimbursed by a training institution for the "tuition" portion of the Pell Grant funds. Generally, Pell Grants provide both tuition and other types of assistance (e.g. living expenses, lab fees, books, etc.). **Only the portion of the Pell Grant that provides for tuition is subject to reimbursement.**

The Free Application for Federal Student Aid (FAFSA), which is used to establish Pell Grant eligibility, is readily available on-line at www.fafsa.ed.gov. When a WIA participant completes the FAFSA on-line, it can be electronically submitted immediately to the U.S. Department of Education (DOE) for processing. Generally, the DOE makes a determination of Pell eligibility and notifies an applicant within 30 days of FAFSA submittal.

ACTION REQUIRED: (1) **REPLACE** Page 1 of the "WIA Eligibility/Documentation Matrix" found in Section 1 of the WIA Participant Tracking Guide dated April 2002 with Attachment A of this memo. (2) **ADD** Attachment B (Arizona MVD Form #96-0155 R12/01) to Section 1 of the WIA Participant Tracking Guide, immediately following the WIA Eligibility/Documentation Matrix. (3) **ADD** Attachment C to Section 1 of the Participant Tracking Guide, immediately preceding the Self-Certification form. (4) **DISTRIBUTE** this memo and its attachments to all individuals responsible for WIA eligibility and case management, as well as others who use the Participant Tracking Guide.

If you need additional information, please contact Ms. Pat Gregan, Planning and Program Development Manager, at (602) 542-2490.

Sincerely,

Stan Flowers
Program Administrator (Actg)
Workforce Development Administration

SF:PG:gg

Enclosures

ATTACHMENT A
Of
WIA GUIDANCE LETTER #10-02

WIA
ELIGIBILITY/DOCUMENTATION
MATRIX (Page 1)

WIA ELIGIBILITY/DOCUMENTATION MATRIX

(REVISED JUNE 2002)

Economic Eligibility Criteria & Documentation - All documentation must be within 6-month eligibility determination period with the exception of receipt of TANF.	ADULT	LOW-INCOME YOUTH	DW	TRIBAL	YOUTH 5%
<p><u>Citizenship/Right to Work in the U.S.</u> Participation in programs or activities, or receiving financial assistance under WIA Title I, must be available to citizens and nationals of the U.S., lawfully admitted permanent resident aliens, refugees, asylees, and parolees and other immigrants authorized to work in the U.S. [Ref.: P.L. 105-220, §188(a)(5) of the Workforce Investment Act of 1998]</p> <p><u>LISTS OF ACCEPTABLE DOCUMENTS</u> Documents that Establish Citizenship & Right to Work in U.S.: 1. U.S. Passport (unexpired or expired) 2. Certificate of U.S. Citizenship (INS Form N-560 or N-561) 3. Certificate of Naturalization (INS Form N-550 or N-570) 4. Original or certified copy of a birth certificate issued by a state, county, municipal authority or outlying possession of the U.S. bearing an official seal. 5. Other Hospital record of birth indicating place of birth 6. Baptismal certificate indicating place of birth 7. DD-214 Report of transfer or discharge from U.S. military indicating place of birth 8. Tribal or Bureau of Indian Affairs Affidavit of Birth or Tribal Certificate of Indian Blood 9. U.S. Citizen ID Card (INS Form I-197) 10. Arizona Driver's License* (*Allowable based upon identification required by the state for issuance of a driver's license. See Form 96-0155 R1 12/01.)</p> <p>Documents that Establish Right to Work in U.S. 1. Unexpired foreign passport with I-551 stamp or attached INS Form I-94 Indicating unexpired employment authorization 2. Alien Registration Receipt Card with Photo (INS Form I-151 or I-551) 3. Unexpired Temporary Resident Card (INS Form I-688) 4. Unexpired Employment Authorization Card (INS Form I-688A) 5. Unexpired Re-entry Permit (INS Form I-327) 6. Unexpired Refugee Travel Document (INS Form I-571) 7. Unexpired Employment Authorization Document issued by INS containing a photo (INS Form I-688B)</p>	√	√	√	√	√
					(OVER)

	ADULT	LOW-INCOME YOUTH	DW	TRIBAL	YOUTH 5%
Documents That Establish Right to Work in U.S. (Cont'd) 8. U.S. social security card issued by the SSA (other than a card stating it is not valid for employment) 9. Certification of Birth Abroad issued by the Dept. of State (Form FS-545 or DS-1350) 10. ID Card for use of Resident Citizen in the U.S. (INS Form I-179) 11. Unexpired employment authorization document issued by INS other than those listed.	√	√	√	√	√
<p style="text-align: center;"><u>Selective Service Registrant</u></p> <p style="text-align: center;"><u>LIST OF ACCEPTABLE DOCUMENTS</u></p> 1. SS acknowledgement letter 2. SS advisory opinion letter 3. SS registration card 4. SS registration record (form 3A) 5. SS verification form 6. Telephone verification (Ph. 1-877-688-6888) 7. DD-214 report of transfer or discharge 8. Stamped post office receipt of registration 9. WIA/State registration process 10. Internet verification/registration (http://www.sss.gov)	√	√	√	√	√

ATTACHMENT B
of
WIA GUIDANCE LETTER #10-02

ARIZONA MOTOR VEHICLE
DIVISION FORM #96-0155
R12/01



IDENTIFICATION REQUIREMENTS

- You need two documents listed below – one must have a clear photo of you
- Or three documents listed below with no photo
- One must be listed under **Primary**
- All must be originals or copies certified by the issuing agency
- All must be in English

PRIMARY (must include Date Of Birth)

- ☐ Birth Certificate issued in any state, territory or possession of the US
(hospital record/certificate and California Certified Abstract Of Birth are not acceptable)
- ☐ Delayed Birth Certificate issued in any state, territory or possession of the US
- ☐ US Certificate of Birth Abroad
- ☐ US Passport
- ☐ Foreign Passport with US Visa (admission stamp or I-94 form required in passport)
- ☐ I-94 Form (with photo) presented without passport
- ☐ Resident Alien Card (issued after March 1977)
- ☐ INS Employment Authorization Card (I-688A, I-688B, I-766)
- ☐ US Certificate of Naturalization
- ☐ US Certificate of Citizenship
- ☐ Driver License issued in any state, territory or possession of the US
- ☐ Arizona ID Card (issued after July 1996)
- ☐ Instruction Permit issued in any state, territory or possession of the US
- ☐ Certified Letter of Identification for a Ward of the Court, issued by a court or government agency in the US
- ☐ Affidavit of Identification (with photo and within 15 days of issue) from Arizona Department of Corrections, a county detention facility or a probation office in Arizona
- ☐ Tribal Certificate of Indian Blood
- ☐ Tribal or Bureau of Indian Affairs Affidavit of Birth
- ☐ US Military DD-214
- ☐ US Military ID Card (active duty, reserve and retired)

SECONDARY (does not have to include Date Of Birth)

- ☐ US Military Dependent ID Card
- ☐ US Armed Forces Driver License
- ☐ Social Security Card
- ☐ Motor Vehicle Record or Clearance Letter (within 30 days of issue)
- ☐ Legal Guardian Affidavit
- ☐ Selective Service Card
- ☐ W-2 Form
- ☐ Veterans Administration Card
- ☐ Concealed Weapons Permit
- ☐ Medical Insurance ID Card (including AHCCCS ID card)
- ☐ Professional License
- ☐ Bank Card
- ☐ Credit Card
- ☐ Employee ID Badge (with photo)
- ☐ School ID (with photo)
- ☐ Marriage Certificate issued in any state, territory or possession of the US

Documents from Court of Record

- ☐ Divorce Decree
 - ☐ Adoption Decree
 - ☐ Name Change Decree
 - ☐ Bankruptcy Decree
 - ☐ Emancipation Decree
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Attachment C
of
WIA Guidance Letter #10-02

SELF-CERTIFICATION
INSTRUCTIONS

SELF-CERTIFICATION

INSTRUCTIONS

The Self-Certification form on the succeeding page is acceptable as a **LAST RESORT** for verification of the WIA applicant information detailed in Items 1 through 4 below.

NOTE: The Self-Certification form must be signed by a corroborating witness acceptable to the Local Workforce Investment Area, who will attest to the information contained in the Self-Certification form.

(1) NO ESTABLISHED RESIDENCE - HOMELESS/TRANSIENT

Self-certification is acceptable for verification of homelessness or transience. A homeless or transient individual is an adult or youth who has no street or rural route address, and includes those individuals residing in shelters specifically intended for homeless or transient individuals.

(2) FAMILY SIZE

Self-certification is acceptable verification that an individual lives Independently, or in a household with one or more additional individuals.

(3) INDIVIDUAL STATUS/SELF-SUPPORTED

Self-certification is acceptable when an individual claims (a) he/she lives independently and is not dependent upon the income of another person; or (b) the individual, though residing in a household with others, is not dependent upon the income of other residents in the household. In the case of (a) or (b), the individual must produce documentation indicating his/her source of support.

(4) PROOF OF UNEMPLOYMENT/LACK OF INCOME

Self-certification is acceptable when an individual claims not to have been employed during the six (6)-month period prior to eligibility.